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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,509	06/15/2001	Richard William Geibel	13DV13823	2897

31852 7590 10/21/2004

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EXAMINER

NGUYEN, MINH CHAU

ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/884,509	Applicant(s) GEIBEL ET AL.	
	Examiner MINH-CHAU N. NGUYEN	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☒ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: A system to track and monitor engineering or development programs from concept to production.

2. The disclosure is objected to because of the following informalities: The specification references co-pending patent application Ser. No. ----- (Attorney Docket No. 13DV13824), entitled Web Enabled System For Component Hardware Repair Collaboration and Material Replacement. The current state of this application, reflecting the status of present pendency, (i.e., abandonment or patent maturity), including associated patent numbers, should be amended into the specification.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

In claims 1 and 10, "engineering and development" is unclear and vague. It is not clearly understood then meaning of engineering and development as used

within the claims. The Examiner will interpret "engineering and development" to mean deployment software programs for different users and/or systems.

In claims 3 and 12, "qualification" is unclear and vague. It is not clearly understood then meaning of qualification as used within the claims. The Examiner will interpret "qualification" to mean the best for deployment software programs

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4, 7, 8, 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boehmke et al. (Boehmke), (US 6,788,933 B2) in view of Usitalo et al. (Usitalo), (US 2002/0099679 A1).

Regarding claim 1, Boehmke discloses the invention substantially as claimed. Boehmke discloses a server configured with a database (Boehmke teaches configuring system as a database server), [see Boehmke, Col. 9, L. 36-45], needs of the multiple users (Boehmke teaches one or more users carrying wireless device), [see Boehmke, Col. 10, L. 24-31], engineering and development requests and

engineering and development procedures (Boehmke teaches user sends a request to access the computer software programs), [see Boehmke, Col. 6, L. 64-66]. At least one computer (Boehmke teaches the computer system includes one or more computer), [see Boehmke, Col. 4, L. 33-34], an interface between the at least one computer and the server (Boehmke teaches DD_QRY program provides a user interface to the system that allows user to query data from database server), [see Boehmke, Col. 33, L. 48-52] However, Boehmke does not explicitly disclose server receive input and upload into database, and user download information from the database.

In the same field of endeavor, Usitalo discloses (e.g., a virtual interactive system and method for providing networked based solutions and expertise to users in a predetermined area of knowledge). Usitalo discloses server receive input and upload into database, and user download information from the database (Usitalo teaches many software modules are available as off the shelf products that users can upload, download or collaborate documents), [see Usitalo, page 3, paragraph 30].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Usitalo's teachings of virtual interactive system and method for providing networked based solutions and expertise to users in a predetermined area of knowledge with the teachings of Boehmke, for the purpose of a more advantageous to have a system that not only improved upon known project attributes of existing systems, but also combined

these known project collaboration attributes with an expert knowledge base which could guide a user to a solution to an identifiable marketing problem [see Usitalo, section 0007]. Boehmke provides the motivation to combine by stating unknown related art systems that provide the user with an electronic email message if a particular project variable is edited or has been satisfied and also this unknown systems allow user to obtain up to date real-time information associated with the deployment of cellular telecommunication network sites [see Boehmke, Col. 3, lines 23-29].

Regarding claim 2, Boehmke-Usitalo discloses the invention substantially as claimed. Usitalo discloses server is configured to be secured by user password (Usitalo teaches the interactive system will have the ability to recognize new or first time users and to identify existing users by a user identification record which contains user name and password), [see Usitalo, section 0026].

Regarding claim 3, Boehmke-Usitalo discloses the invention substantially as claimed. Boehmke discloses the engineering and development programs are tracked from initial development to qualification (Boehmke teaches computer software programs for tracking changes, progress and performance a cellular telecommunication network site deployment project), [see Boehmke, Col. 43, L. 21-27 and Col. 44, L. 28 – 34]. The same motivation that was utilized in claim 1, applies equally as well to claim 3.

Regarding claim 4, Boehmke-Usitalo discloses the invention substantially as claimed. Usitalo discloses user comprises multiple users (Usitalo teaches a user or group of users), [see Usitalo, section 0030].

Regarding claim 7, Boehmke-Usitalo discloses the invention substantially as claimed. Boehmke discloses the interface is provided by web pages that can be transmitted from the database to the user (Boehmke teaches a DD_QRY program which provides the user interface to the system), [see Boehmke, Col.33, L. 48-52].

Regarding claim 8, Boehmke-Usitalo discloses the invention substantially as claimed. Boehmke discloses the engineering and development programs comprise a repair development program (Boehmke teaches the development project software program can provide automatic down streaming), [see Boehmke, Col. 44, L. 35-41]. The same motivation that was utilized in claim 1, applies equally as well to claim 8.

Regarding claim 14, Boehmke-Usitalo discloses the invention substantially as claimed. Boehmke discloses the step of configuring the server to receive, categorize, and store user repair capabilities (Boehmke teaches any changes or modified programs by users are stored in the database server), [see Boehmke, Col. 9, L12-22].

Regarding claim 15, Boehmke-Usitalo discloses the invention substantially as claimed. Boehmke discloses the step of configuring the server to receive, profile, track and store program status information and user needs (Boehmke teaches receive, track and store a cellular telecommunication network site deployment project status), [see Boehmke, Col. 43, L. 10-27].

Claims 10, 11, 12 and 13, list all of the same elements of claims 1, 2, 3 and 8, but in method form rather than system form. Therefore, the same rationale of the rejection to claims 1, 2, 3 and 8 applies equally as well to claims 10, 11, 12 and 13.

6. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boehmke-Usitalo as applied to claim 1 above, and further in view of Anderson et al. (Anderson), (US 6,131,115).

Regarding claim 5 Boehmke-Usitalo is relied upon for the disclosure set forth in the previous rejection. Boehmke-Usitalo fails to disclose the database is owned by an owner entity. However, Anderson discloses each database is owned by an owner entity (Anderson teaches the information of interest to users of the system is contained in different database and each database has its own access mechanism), [see Anderson, Col. 4, L. 60-63]

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Anderson's teachings of a system for on-line services using distributed objects with the teachings of

Boehmke, for the purpose of using a variety of presentation tools to access a suite of financial services supported by a variety of financial services providers [see Anderson, Col. 2, L. 10-15]. Boehmke provides the motivation to combine by stating unknown related art systems that provide the user with an electronic email message if a particular project variable is edited or has been satisfied and also this unknown systems allow user to obtain up to date real-time information associated with the deployment of cellular telecommunication network sites [see Boehmke, Col. 3, L. 23-29].

Regarding claim 6 Boehmke-Usitalo discloses the invention substantially as claimed. Anderson discloses the multiple users comprise users internal to the owner entity and users external to the owner entity (Anderson teaches the user connect or data access protocols isolate internal or external networks), [see Anderson, Col. 3, L. 20-22].

7. Claims 9 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boehmke-Usitalo as applied to claim 1 above, and further in view of Mikurak (US 6,671,818 B1).

Regarding claim 9 Boehmke-Usitalo is relied upon for the disclosure set forth in the previous rejection. Boehmke-Usitalo fails to disclosure server store and download text and digital images. However, Mikurak discloses a server which can store and download text, images, etc. (Mikurak teaches a World-Wide Web server can store images, text, animation, and sounds), [see Mikurak, Col. 106, L. 16-23]

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Mikurak's teachings of a system and method are provided for life cycle network asset management in a network based supply chain with the teachings of Boehmke, for the purpose of advanced features of system provided by improved telecommunications equipment often does not outweigh the installation costs and thus many organizations either do not upgrade their equipment, or delay such upgrades as long as possible [see Mikurak, Col. 2, L. 45-51]. Boehmke provides the motivation to combine by stating unknown related art systems that provide the user with an electronic email message if a particular project variable is edited or has been satisfied and also this unknown systems allow user to obtain up to date real-time information associated with the deployment of cellular telecommunication network sites [see Boehmke, Col. 3, L. 23-29]. The same motivation that was utilized in claim 9, applies equally as well to claim 16.

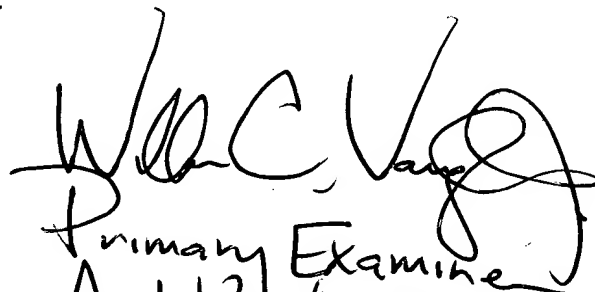
Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH-CHAU N. NGUYEN whose telephone number is (703) 305-8425. The examiner can normally be reached on Monday-Friday from 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID A. WILEY can be reached on (703) 308-5221. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Primary Examiner
Art Unit 2143
William C. Vaughn Jr.